

## Secondary Units

The City Council has adopted an ordinance that will allow a limited pilot program for secondary units, running from January 2, 2006 until December 31, 2006. The pilot program will allow for up to 100 permits for new secondary units, and also allows any existing units that comply with the approved requirements to obtain a second unit permit.

Secondary units are residential living units that contain at least a bathroom and a full kitchen. A full kitchen includes a kitchen sink, a food storage area, and a permanent cooking device. Secondary units can be either detached or attached to the primary dwelling. Secondary units could provide much-needed affordable housing opportunities throughout the City, and could also provide appropriate living arrangements for people needing caregivers, children caring for elderly parents, or adult children returning home.

Under State Law, cities must approve secondary units through a ministerial process. The ministerial process requirement means that the City will have no discretion over the approval of a secondary unit permit—if the application meets the City’s criteria, it is approved administratively, without public notice or input.

## Secondary Unit Criteria:

Prior to application, please be sure that your secondary unit proposal conforms to the following criteria. If you have any questions, please contact the Planning Division at 408-535-7801, or [secondary.units@sanjoseca.gov](mailto:secondary.units@sanjoseca.gov).

**Applicable Districts:** All R-1 Districts and Planned Development districts using R-1 standards

### **Minimum lot size:**

<i>Attached units</i>	<i>Detached units</i>
6,000 square feet	8,000 square feet

**Maximum unit size:** 600 square feet

**Maximum square footage devoted to bedrooms:** 400 square feet

**Maximum number of bedrooms:** One

**Maximum storage space:** 60 square feet

**Required parking:** One open parking space, outside of front and side setbacks

### **Siting criteria:**

*Attached units* - same setbacks as primary dwelling

#### *Detached Units*

- same setbacks as primary dwelling
- Behind primary dwelling unit
- Minimum six feet from existing structures
- Maximum height = 16’
- Average height = 12’

### **Design criteria**

- Exterior materials to match existing house
- Roof pitch and form to match existing house
- Front door of second unit not on same building elevation as the main house’s front door
- Second unit’s windows shall not have views into adjacent properties.

**Ownership:** Property owner must certify that they occupy existing house at time of application.

## Application Requirements:

- ☐ Completed Secondary Unit Clearance form
- ☐ Photographs
  - ☐ Existing structures on property
  - ☐ Views to adjoining properties from proposed secondary unit location
- ☐ Completed building permit application and project worksheet
- ☐ Homeowner’s property tax exemption
- ☐ Plan sets (3 plan sets, minimum 18” x 24”) Plan sets must provide all information required for a building permit submittal, and the following additional information:
  - ☐ Total secondary unit square footage
  - ☐ Bedroom square footage
  - ☐ Storage square footage
- ☐ \$250 Planning clearance fee, plus all normal and customary building permit fees and taxes for the proposed secondary unit. Please note that as an example, building permit fees and taxes for a 600 square foot unit can range from \$4,800 to \$5,500, depending on configuration.

Incomplete applications will not be accepted, and will forfeit the required \$100 appointment deposit.

# Secondary Units



Department of Planning, Building and Code Enforcement  
San Jose City Hall  
200 East Santa Clara Street  
San Jose, Ca 95113

## ***To Apply:***

Applications for secondary unit permits will be taken by appointment only. To make an application appointment for secondary units, please call (408) 535-3555 after the beginning of the program on January 3, 2006. The first appointment will be January 9, 2006.

Secondary unit applications are available either from the Planning Divisions' website, or from the development services center located on the first floor of City Hall. To apply for a secondary unit permit, please be aware that you will need to provide building permit-ready drawings as a part of your initial submittal.

If you would like to schedule time for a preliminary review with planning staff in advance of submitting an application, please contact planning staff at [secondary.units@sanjoseca.gov](mailto:secondary.units@sanjoseca.gov). There is no cost for the review of a secondary unit proposal.

For more information  
call (408) 535-3555

## **WHERE YOU CAN REACH US:**

San Jose City Hall  
200 East Santa Clara Street  
San Jose, CA 95113  
(408)535-3555

City of San Jose  
Dept. of Planning, Building and Code Enforcement  
[www.sanjoseca.gov/planning](http://www.sanjoseca.gov/planning)